

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:13-MJ-1158-JG-1

UNITED STATES OF AMERICA) Charging District No. 3:12CR148-002
) (E.D. Va.)
)
)) **ORDER ADDING CONDITIONS OF**
) **RELEASE PENDING SENTENCING**
LORETTA WILLIAMS SCOTT,))
)
))
 Defendant.))

Defendant was arrested in this district on or about 12 February 2013 pursuant to a motion for revocation of her release pending sentencing in the charging district, the United States District Court for the Eastern District of Virginia, and she had her initial appearance in this court on 13 February 2013. (See D.E. 1, 2). The case came before the court today for a hearing on the government's oral motion, made at the initial appearance (*see* Minute Entry after D.E. 4), for defendant's detention pending further proceedings in the Eastern District of Virginia. At the outset of today's proceeding, the government withdrew its motion for detention based on, among other considerations, consultations with the United States Attorney's Office in the Eastern District of Virginia and an important medical appointment defendant has in four days (*i.e.*, on Monday, 25 February 2013).¹ The government did not request any change in defendant's current conditions of release or the imposition of any additional conditions.

Nevertheless, the court finds that additional conditions are necessary to reasonably assure defendant's appearance as required and the safety of any other person and the community. Defendant appears to have engaged in continued use of marijuana in violation of her release conditions and has on occasion failed to report to the supervising Probation Officer and

¹ While the government, as well as the court, have considered defendant's medical appointment in connection with the instant matter, defendant needs to understand that her medical condition in no way insulates her from detention. Jail facilities routinely provide necessary medical treatment to persons in their custody.

substance abuse treatment provider as required. She also appears to have attempted to frustrate drug testing by using a bottle of another person's urine. She has engaged in such apparent conduct despite a stern warning from the presiding District Judge that doing so could have serious consequences, including revocation of her release. The additional conditions provided for below should facilitate supervision of defendant by the Probation Office, limit her opportunities to engage in violative conduct, help deter her from further violations, and, in particular, help ensure that she appears in the Eastern District of Virginia as required.

IT IS THEREFORE ORDERED, pursuant to Fed. R. Crim. P. 40(c), as follows:

1. Defendant shall participate in the home detention program and comply with its requirements as directed. Pursuant to that program, defendant shall be restricted to her residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services officer or supervising officer.
2. Defendant shall submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
3. The defendant shall next appear in the United States District Court for the Eastern District of Virginia as notified.
4. Defendant is reminded that the pretrial services officer and supervising officer speak for the court and she is required to follow their instructions. Failure to follow their instructions is a violation of the conditions of release.

5. The Probation Office shall promptly notify the undersigned of any violations by defendant of the conditions of her release pending her next appearance in the Eastern District of Virginia.

6. The provisions of this Order supplement those of the Order Setting Conditions of Release entered on 10 October 2012 by the Eastern District of Virginia (E.D. Va. D.E. 7), all of which remain in full force and effect.

SO ORDERED, this the 21st day of February 2013.



James E. Gates
United States Magistrate Judge